

FILED  
Clerk  
District Court

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN MARIANA ISLANDS

MAR 21 2008

For The Northern Mariana Islands  
By \_\_\_\_\_  
(Deputy Clerk)

LAW OFFICE OF

Civil Action No. 07-0020

DOUGLAS F. CUSHNIE, a sole  
proprietorship, and DOUGLAS F.  
CUSHNIE, individually,

Case Management Scheduling  
Order

Plaintiffs,

vs.

BANK OF HAWAII, and MARY ROE and  
JOHN DOE,

Defendants

BANK OF HAWAII,

Third-party Plaintiff,

vs.

LUCY M. DL GUERRERO

Third-Party Defendant.

Douglas F. Cushnie  
Attorney at Law  
P.O. Box 500949  
Saipan, MP 96950

John D. Osborn  
Attorney at Law  
P.O. Box 5241  
Saipan, MP 96950

Pursuant to Federal Rule of Civil Procedure 16(b)<sup>1</sup> and Local Rule 16.2CJ.e.4, a

<sup>1</sup>

Fed.R.Civ.P. 16(b)(6) provides in part that a case management scheduling order "shall not be modified except upon a showing of good cause and by leave of the district judge[.]" To establish good cause, a party must generally show that even with

1 Case Management Conference was conducted in the above case on March 21, 2008.

2 As a result of the conference,

3 IT IS ORDERED THAT:

- 4 1. All parties are to be joined on or before September 1, 2008.
- 5 2. All motions to amend pleadings shall be filed on or before September 1,
- 6 2008.
- 7 3. All discovery shall be served by September 1, 2008.
- 8 4. All discovery motions shall be filed so as to be heard on or before October
- 9 23, 2008. The following discovery documents and proofs of service
- 10 thereof shall not be filed with the Clerk until there is a motion or
- 11 proceeding in which the document or proof of service is in issue and then
- 12 only that part of the document which is in issue shall be filed with the
- 13 Court:
- 14 a. Transcripts of depositions upon oral examination;
- 15 b. Transcripts of deposition upon written questions;
- 16 c. Interrogatories;
- 17 d. Answers or objections to interrogatories;
- 18 e. Requests for production of documents or to inspect tangible things;
- 19 f. Responses or objections to requests for production of documents
- 20 or to inspect tangible things;
- 21 g. Requests for admission; and,
- 22 h. Responses of objections to requests for admission.
- 23 5. Plaintiff expert disclosure - August 1, 2008.
- 24 6. Defendant and third-party defendant expert disclosure - August 1, 2008.
- 25 7. Plaintiff's rebuttal expert disclosure - September 1, 2008.
- 26 8. Defendant's rebuttal expert disclosure - September 1, 2008.

---

the exercise of due diligence it cannot meet the order's timetable. See e.g. Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 609 (9th Cir. 1992). The liberal amendment policy of Fed.R.Civ.P. 15 no longer obtains once the case management scheduling order has been entered. See Coleman v. Quaker Oats Co., 232 F.3d 1271, 1294 (9th Cir. 2000).

9. Expert discovery shall be completed by November 14, 2008.
10. A status conference will be held on August 29, 2008, at 9:00 a.m.
11. All dispositive motions shall be heard on or before December 18, 2008. Said motions shall be filed in accordance with Local Rules 7.1.
12. A settlement conference will be held on December 29, 2008, at 9:00 a.m.
13. The jointly-prepared final pretrial order, prepared pursuant to Local Rule 16.2CJ.e.9, shall be filed with this Court by January 16, 2009.
14. A final pretrial conference will be held on January 23, 2009, at 9:00 a.m.
15. The trial in this case shall begin on February 2, 2009, at 9:00 a.m.

This case has been assigned to the Standard Track.

DATED THIS 21<sup>st</sup> day of March, 2008, Garapan, Saipan, CNMI.

  
JUDGE ALEX R. MUNSON